

SENATE BILL 2657

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 4 and
Title 50, relative to occupational safety.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-3-403, is amended by deleting "of up to seven thousand dollars (\$7,000)" and substituting "in accordance with 29 U.S.C § 666, as adjusted annually by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Public Law 114-74),".

SECTION 2. Tennessee Code Annotated, Section 50-3-404(a), is amended by deleting "of up to seven thousand dollars (\$7,000)" and substituting "in accordance with 29 U.S.C § 666, as adjusted annually by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Public Law 114-74),".

SECTION 3. Tennessee Code Annotated, Section 50-3-405(a), is amended by deleting "of up to seven thousand dollars (\$7,000)" and substituting "in accordance with 29 U.S.C § 666, as adjusted annually by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Public Law 114-74),".

SECTION 4. Tennessee Code Annotated, Section 50-3-405(b), is amended by deleting "of up to seventy thousand dollars (\$70,000)" and substituting "in accordance with 29 U.S.C § 666, as adjusted annually by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Public Law 114-74),".

SECTION 5. Tennessee Code Annotated, Section 50-3-406, is amended by deleting "of up to seven thousand dollars (\$7,000)" and substituting "in accordance with 29 U.S.C § 666, as

adjusted annually by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Public Law 114-74),".

SECTION 6. Tennessee Code Annotated, Section 50-3-501, is amended by deleting "Class C misdemeanor" and substituting "Class B misdemeanor, punishable by imprisonment for not more than six (6) months, a fine of not more than one thousand dollars (\$1,000), or both".

SECTION 7. Tennessee Code Annotated, Section 50-3-502, is amended by deleting "Class C misdemeanor" and substituting "Class B misdemeanor, punishable by imprisonment for not more than six (6) months, a fine of not more than ten thousand dollars (\$10,000), or both".

SECTION 8. Tennessee Code Annotated, Section 50-3-503, is amended by deleting the section and substituting:

An employer who willfully violates a standard adopted by rule promulgated pursuant to § 50-3-201, which violation causes the death of an employee, commits a Class B misdemeanor, punishable by imprisonment for not more than six (6) months, a fine of not more than ten thousand dollars (\$10,000), or both. For a second or subsequent violation of this section, the person commits a Class A misdemeanor, punishable by imprisonment for not more than eleven (11) months, twenty-nine (29) days, a fine of not more than twenty thousand dollars (\$20,000), or both.

SECTION 9. If a provision of this act or its application to a person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 10. This act takes effect July 1, 2022, the public welfare requiring it, and applies to prohibited conduct occurring on or after that date.